

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**DANNY McLEMORE,**

**PLAINTIFF**

**V.**

**NO. 4:04CV260-P-D**

**CHRISTOPHER EPPS, ET AL,**

**DEFENDANTS**

**ORDER DENYING PLAINTIFF'S MOTION FOR RELIEF FROM JUDGMENT**

Plaintiff's request to proceed *in forma pauperis* (IFP) was denied and the case was ordered closed on October 22, 2004, for failure to prosecute and for failure to obey an order of the court in that plaintiff had failed to return certain paperwork pertaining to his inmate account to the court as ordered. On November 10, 2004, the plaintiff filed a motion for reconsideration of the dismissal along with a new copy of his motion to proceed IFP. The court will treat the motion as a Rule 60(b) motion for relief from judgment.

Like his original motion for IFP, the new application did not contain a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1915. Without this information, the court cannot process his motion to proceed IFP. Accordingly, the motion for relief from judgment is **denied**.

**SO ORDERED:**

THIS, the 20<sup>th</sup> day of July, 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE